

**MINUTES**  
**SANDY CITY COUNCIL MEETING**  
Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**October 21, 2008**

Meeting was commenced at 7:00 p.m. [7:00:05 PM](#)

**PRESENT:**

**Council Members:** Chairman Scott Cowdell, Vice Chairman Steve Smith, Bryant Anderson, Steve Fairbanks, Chris McCandless, Linda Martinez Saville, and Dennis Tenney

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Assistant CAO Scott Bond; Assistant to the CAO Korban Lee; Director of Human Resources and Management Services Brian Kelley; Community Development Director Mike Coulam; Public Works Director Rick Smith; City Engineer Mike Gladbach; Community Events Director Mearle Marsh; Deputy to the Mayor John Hiskey; Police Chief Stephen Chapman; Fire Chief Don Chase; Parks & Recreation Director Nancy Shay; Administrative Services Director Art Hunter; Council Office Director Phil Glenn; Council Executive Secretary Wendy Densley

**ABSENT/EXCUSED:**

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by Adam Anderson of Administrative Services, and the Pledge was led by the Sandy City Police Explorers.

2. **SPECIAL PRESENTATION:**

a. Sandy City Police Explorers – Flag Presentation

3. **CITIZEN(S) COMMENTS:**

a. **Roger Harding**, 11187 Tall Pines way, introduced himself to the Council as the Democratic candidate for the Salt Lake County Council, District 6. He reported that the Salt Lake Tribune will be running an endorsement for his candidacy. [7:07:04 PM](#)

Adjourn City Council Meeting and convene into: [7:10:41 PM](#)

\*\*\*Sandy Arts Guild\*\*\*

Adjourn Sandy Arts Guild and reconvene into City Council Meeting.

**COUNCIL ITEM(S):**

4. **Budget Overview Revenues/Expenses** [Art Hunter] [7:37:12 PM](#)

**Discussion:**

**Art Hunter**, Director of Administrative Services, presented to the Council a budget overview of revenues and expenses. [Attached Exhibit A] He reported that he is thinking that the current downturn in the economy will affect the City for at least the next two years. He has estimated revenues and has adjusted those numbers to get to a new base budget for 2010. Last year when the budget was completed two million dollars was used for one time expenditures. He projects a downturn in the economy of approximately 1.8 million dollars. As far as revenues to

next year's budget, the sales tax will be flat from this year to next year. He reported that what may be needed to get through the next two years is a total budget adjustment of three million dollars. Art said that he plans on estimating revenues and giving an update to the Council once a month.

The plan to come up with the needed three million dollars is to take care of 2 million dollars for this year first. Each department was asked to give back on a one time basis 1% of their budget, which would bring in about a half a million dollars. He reported that for the remaining balance of the needed two million dollars, Administration is recommending taking the major portion out of the Community Centers Fund. Then as revenues are estimated throughout the rest of the year, if additional revenues are needed they would recommend taking it from the Community Centers Fund. That would leave about three million left in that fund. In 2010 it is possible that the different City departments will be asked to cut their budgets on a permanent basis by 1%. Next year a permanent cut would be necessary if the economy doesn't pick up. For the onetime 1% cut each department has submitted their proposed budget cuts. Each department has different budget needs.

**Chris McCandless** asked what type of barometers could be used to project the sales tax to give a two week indicator of what could happen 60 to 90 days down the road. [7:43:32 PM](#)

**Art Hunter** said he listens to the news every morning, CNBC which paints a worst case scenario. The Administration has used Kelly Mathews and Jeff Thredgold as a barometer.

**Mr. McCandless** asked that those analyses be brought back to the council with the monthly update.

**Mr. McCandless** asked if the departments were given specific parameters for the 1% cut. He would like to see personnel cut last, and maintenance not deferred, because it will need to be done at greater cost at a later date.

**Art Hunter** responded that the first onetime 1% cut is very open, and latitude was given to the departments. The second cut would be researched more in terms of policy direction because it will be a permanent 1% cut.

**Byron Jorgenson** said that the department heads are looking at ways to cut that would create the least pain to the citizens and the employees.

**Steve Fairbanks** appreciated the information given to the Council that the departments are working hard to not cut personnel. He reported that a presentation was given at the Utah League meeting on the economics scene in the state. He said that Sandy seemed to be suffering less than some of the surrounding cities. [7:47:58 PM](#)

**Bryant Anderson** thinks that overall, the city should plan on more than a two year recovery, then if it is only two, they can take the 3<sup>rd</sup> year money to replenish the Community Centers Fund. [7:49:56 PM](#)

**Dennis Tenney** said that his number one concern is to maintain Public Safety, the police and fire. He asked Mr. Hunter what his long term outlook was. [7:50:40 PM](#)

**Art hunter** said that he feels relatively good about the economy right now and doesn't have the same fear that some have. He said, "how long it will take to recover I don't know and hope it isn't a long period of time." That is why this needs to be closely monitored.

**Steve Fairbanks** asked if the Administration has determined a point at which the budget cuts

would need a drastic change. [7:53:21 PM](#)

**Art Hunter** replied that there is enough money in the Community Centers Fund to get the City through the rough times. It's just going to require the council to allocate that money, which means putting off a community center for a few more years.

**Stephen Smith** thanked the Administration and the Finance Department for keeping the City financially sound. He doesn't feel that a 1% cut is going to be enough. It seems like the initial response is to cut capital expenditures. He is concerned with deferring capital projects. With regard to the city budget, if there is an expectation that there is a need for a 1% permanent cut next year, it should be cut this year. He feels there are a lot of options to explore for this budget cut. [7:55:35 PM](#)

**Linda Martinez Saville** said she worries about cutting the community centers funding because she knows how badly it is needed for the youth and families in the city. She is also concerned that the cut could possibly need to be larger than 1%. [7:59:24 PM](#)

**Chris McCandless** feels that this approach could make the city more financially sound. He doesn't like the suggesting of cutting Capital Improvement Projects either. [8:01:05 PM](#)

**Scott Cowdell** said he appreciates Mr. Smith's concerns but doesn't feel comfortable cutting any more than 1%. He would rather see the city take money out of the Land Acquisition fund than Capital Projects. He said that the City Council could cut the remainder of its travel budget, and suggested not paying the City Council for the meetings that are cancelled. He asked how Council feels about making those Council budget cuts. [8:02:49 PM](#)

**Steve Fairbanks** said he would like to discuss the issue at a different meeting and get the numbers regarding money the Council would be cutting.

**Chris McCandless** feels that some of the Utah League meetings are a good thing for the city, and doesn't feel that the travel should be cut.

**Art Hunter** said that documents will be prepared for next week's meeting for Council action.

**5. Equipment Management: increasing Total Appropriations**  
**Res #08-69C – increasing total appropriations within the Equipment Management Fund**

**Motion:** Dennis Tenney made a motion to approve Resolution #08-69C increasing total appropriations within the Equipment Management Fund as recommended by Administration.

**Second:** Steve Fairbanks

**Vote:** Tenney- Yes, Fairbanks- Yes, Smith- No, Anderson- Yes, McCandless-Yes, Saville- Yes, Cowdell-Yes.

**Motion Approved:** 6 members in favor, 1 member voted no

**6. Land Condemnations**  
**Resolution #08-81C – a resolution authorizing the condemnation of real property owned by Alta View Associates for the 1300 East Corridor Improvement Project.**

**Discussion:**

**Mike Gladbach, City Engineer**, presented to the Council several condemnations for several properties along 1300 East. There are 4 main purposes for the 1300 East Corridor Project: safety,

traffic flow, pedestrian facilities, and the general aesthetics of the corridor. [attached exhibit B]  
[8:13:38 PM](#)

**Milton Talkington, Cottonwood Hills Condominiums**, 8200 South 1300 East, feels that there has been a communication breakdown. He is trying to work with Kay, Cartwright and Associates to get some changes made in the Land Acquisition contract. They Homeowners don't feel that the offer the City is proposing is a fair offer. [8:23:32 PM](#),

**Bryant Anderson** asked how many square feet is involved with the Cottonwood Hills Condominiums property. How much has the City offered for the easement? [8:28:47 PM](#)

**Mike Gladbach** said that it will be 1950 square feet for a temporary easement. A total of \$5,000 for the easement and the Landscaping has been offered. He reported that the piece of property is being leased for the easement, not taken.

**Christine Cartwright**, Kay, Cartwright and Associates, 180 S. 300 W., said that on an easement, the city does not take title of the property; it would be a lease arrangement. She said they have changed language on contracts and other documents to reflect an offer to purchase an easement, as opposed to saying offer to purchase land. Mr. Talkington is correct, that he has talked to several staff members; on August 1, 2008 they had talked about changing language and asked him to come back if he was uncomfortable with the offer. [8:31:08 PM](#)

**Dennis Tenney** asked if Mr. Talkington understands that the language has been changed to purchase the easement and not the land, that the title to property never changes and if he was comfortable with this offer. [8:33:51 PM](#)

**Milton Talkington** said that yes he does understand but has been advised by an attorney to have them change the language to a lease of the land.

**Dennis Tenney** asked Mr. Talkington if the Council delayed this motion for one week, would that be enough time to come to an understanding of the terms.

**Milton Talkington** agreed that yes that would be a sufficient amount of time.

**Chris McCandless** asked if the red brick wall near the Cottonwood Condominiums would be taken out for this project. He also asked if the 20 year old trees would be saved along the corridor. He asked if a garage located on Serpentine way inside the easement would be taken out. He also asked if the house on Galaxy Drive, that sits adjacent to the existing right of way will be removed. [8:35:43 PM](#)

**Mike Gladbach** replied that the walls would be replaced with new walls as part of the project. He said that most of the trees along the corridor would be saved, but in some areas the trees can't be saved. He said that the garage on Serpentine way and the house on Galaxy Drive will remain intact during the construction.

#### **Land Condemnations**

**Resolution #08-81C – a resolution authorizing the condemnation of real property owned by Alta View Associates for the 1300 East Corridor Improvement Project.**

**Motion:** **Steve Fairbanks made a motion to approve Resolution #08-81C authorizing the condemnation of real property owned by Alta View Associates for the 1300 East Corridor Improvement Project.**

**Second:** Linda Martinez Saville  
**Vote:** Fairbanks – Yes, Saville – Yes, Anderson – Yes, Tenney – Yes, McCandless-Yes, Smith – Yes, Cowdell – Yes.  
**Motion Approved:** All members voted yes

**7. Land Condemnation**

**Resolution #08-93C** – a resolution authorizing the condemnation of real property owned by AVM, LLC for the 1300 East Corridor Improvement Project.

**Motion:** Chris McCandless made a motion to approve Resolution #08-93C authorizing the condemnation of real property owned by AVM, LLC for the 1300 East Corridor Improvement Project.

**Second:** Linda Martinez Saville

**Vote:** McCandless – Yes, Saville – Yes, Smith – Yes, Anderson – Yes, Tenney – Yes, Fairbanks – Yes, Cowdell – Yes.

**Motion Approved:** All members voted yes

**8. Land Condemnation**

**Resolution #08-94C** – a resolution authorizing the condemnation of real property owned by Robert G. Bakker, Mitchell R. Bakker, and Gregory E. Bakker for the 1300 East Corridor Improvement Project.

**Discussion:**

**Chris McCandless** is concerned that this project and putting a median in will have a negative impact on this property.

**Motion:** Chris McCandless made a motion to approve Resolution #08-94C authorizing the condemnation of real property owned by Robert G. Bakker, Mitchell R. Bakker, and Gregory E. Bakker for the 1300 East Corridor Improvement Project.

**Second:** Linda Martinez Saville

**Vote:** McCandless-Yes, Saville- Yes, Smith- Yes, Anderson- Yes, Tenney- Yes, Fairbanks- Yes, Cowdell-Yes.

**Motion Approved:** All members voted yes

**9. Land Condemnation**

**Resolution #08-90C** – a resolution authorizing the condemnation of real property owned by Canyon Ridge Office Park owners association, Inc. for the 1300 East Corridor Improvement Project.

**Motion:** Linda Martinez Saville made a motion to approve Resolution #08-90C authorizing the condemnation of real property owned by Canyon Ridge Office Park Owners Associations, Inc. for the 1300 East Corridor Improvement Project.

**Second:** Bryant Anderson

**Vote:** Saville – Yes, Anderson – Yes, McCandless – Yes, Smith – Yes, Tenney – Yes, Fairbanks – Yes, Cowdell – Yes.

**Motion Approved:** All members voted yes.

**10. Land Condemnation**

**Resolution #08-92C** – a resolution authorizing the condemnation of real property owned by Cottonwood Hills Condominiums, a Utah Association of Condominium Owners for the

**1300 East Corridor Improvement Project.**

**Motion:** Dennis Tenney made a motion to delay approval of Resolution #08-92C authorizing the condemnation of real property owned by Cottonwood Hills Condominiums, a Utah Association of Condominium Owners for the 1300 East Corridor Improvement Project for one week, October 28, 2008.

**Second:** Bryant Anderson

**Vote:** Tenney- Yes, Anderson- Yes, Smith- Yes, McCandless-Yes, Saville- No, Fairbanks- No, Cowdell-No.

**Motion Approved:** 4 members in favor, 3 members voted no

**11. Land Condemnation**

**Resolution #08-79C** – a resolution authorizing the condemnation of real property owned by Douglas and Ruth C. Erickson for the 1300 East Corridor Improvement Project.

**Motion:** Steve Fairbanks made a motion to approve Resolution #08-79C authorizing the condemnation of real property owned by Douglas and Ruth C. Erickson for the 1300 East Corridor Improvement Project.

**Second:** Stephen Smith

**Vote:** Fairbanks – Yes, Smith – Yes, McCandless – Yes, Anderson – Yes, Tenney – Yes, Saville – Yes, Cowdell – Yes.

**Motion Approved:** All members voted yes.

**12. Land Condemnation**

**Resolution #08-78C** – a resolution authorizing the condemnation of real property owned by Anthony I. Herrera and Geniel S. Herrera for the 1300 East Corridor Improvement Project.

**Motion:** Chris McCandless made a motion to approve Resolution #08-78C authorizing the condemnation of real property owned by Anthony I. Herrera and Geniel S. Herrera for the 1300 East Corridor Improvement Project.

**Second:** Stephen Smith

**Vote:** McCandless-Yes, Smith- Yes, Anderson- Yes, Tenney- Yes, Saville- Yes, Fairbanks- Yes, Cowdell-Yes.

**Motion Approved:** All members voted yes.

**13. Land Condemnation**

**Resolution #08-82C** – a resolution authorizing the condemnation of real property owned by High Point Shopping Center for the 1300 East Corridor Improvement Project.

**Motion:** Linda Martinez Saville made a motion to approve Resolution #08-82C authorizing the condemnation of real property owned by High Point Shopping Center for the 1300 East Corridor Improvement Project.

**Second:** Stephen Smith

**Vote:** Saville – Yes, Smith – Yes, McCandless – Yes, Anderson – Yes, Tenney – Yes, Fairbanks – Yes, Cowdell – Yes.

**Motion Approved:** All members voted yes.

**14. Land Condemnation**

**Resolution #08-86C** – a resolution authorizing the condemnation of real property owned by HP South, L.C. for the 1300 East Corridor Improvement Project.

**Motion:** Steve Fairbanks made a motion to approve Resolution #08-86C authorizing the condemnation of real property owned by HP South, L.C. for the 1300 East Corridor Improvement Project.

**Second:** Stephen Smith

**Vote:** Fairbanks- Yes, Smith- Yes, Anderson- Yes, Tenney- Yes, McCandless-Yes, Saville- Yes, Cowdell-Yes.

**Motion Approved:** All members voted yes.

**15. Land Condemnation**

**Resolution #08-83C** – a resolution authorizing the condemnation of real property owned by HP South L.C. for the 1300 East Corridor Improvement Project.

**Motion:** Steve Fairbanks made a motion to approve Resolution #08-83C authorizing the condemnation of real property owned by HP South, L.C. for the 1300 East Corridor Improvement Project.

**Second:** Stephen Smith

**Vote:** Fairbanks – Yes, Smith – Yes, McCandless – Yes, Anderson – Yes, Tenney – Yes, Saville – Yes, Cowdell – Yes.

**Motion Approved:** All members voted yes.

**16. Land Condemnation**

**Resolution #08-84C** – a resolution authorizing the condemnation of real property owned by HP South, L.C. for the 1300 East Corridor Improvement Project.

**Motion:** Steve Fairbanks made a motion to approve Resolution #08-84C authorizing the condemnation of real property owned by HP South, L.C. for the 1300 East Corridor Improvement Project.

**Second:** Stephen Smith

**Vote:** Fairbanks- Yes, Smith- Yes, Anderson- Yes, Tenney- Yes, McCandless-Yes, Saville- Yes, Cowdell-Yes.

**Motion Approved:** All members voted yes.

**17. Land Condemnation**

**Resolution #08-87C** – a resolution authorizing the condemnation of real property owned by Questar Gas Company for 1300 East Corridor Improvement Project.

**Motion:** Linda Martinez Saville made a motion to approve Resolution #08-87C authorizing the condemnation for real property owned by Questar Company for the 1300 East Corridor Improvement Project.

**Second:** Bryant Anderson

**Vote:** Saville – Yes, Anderson – Yes, McCandless – Yes, Smith – Yes, Tenney – Yes, Fairbanks – Yes, Cowdell – Yes.

**Motion Approved:** All members voted yes.

**18. Land Condemnation**

**Resolution #08-88C** – a resolution authorizing the condemnation of real property owned by Questar Gas Company for the 1300 East Corridor Improvement Project.

**Motion:** Chris McCandless made a motion to approve Resolution #08-88C authorizing the condemnation of real property owned by Questar Gas Company for the 1300

Corridor Improvement Project.  
Second: Stephen Smith  
Vote: McCandless-Yes, Smith- Yes, Anderson- Yes, Tenney- Yes, Saville- Yes,  
Fairbanks- Yes, Cowdell-Yes.  
Motion Approved: All members voted yes.

19. Land Condemnation  
Resolution #08-89C- a resolution authorizing the condemnation of real property owned by U.P.C. Inc. for the 1300 East Corridor Improvement Project.

Motion: Steve Fairbanks made a motion to approve the Resolution #08-89C authorizing the real property owned by U.P.C. Inc. for the 1300 East Corridor Improvement Project.  
Second: Stephen Smith  
Vote: Fairbanks – Yes, Smith – Yes, McCandless – Yes, Anderson – Yes, Tenney – Yes, Saville – Yes, Cowdell – Yes.  
Motion Approved: All members voted yes.

20. Land Condemnation  
Resolution #08-77C – a resolution authorizing the condemnation of real property owned by Jian Tang Wu, Yuk Tong NG, Yu Xin Wu and Yu Xiao Wu for the 1300 East Corridor Improvement Project.

Motion: Chris McCandless made a motion to approve Resolution #08-77C authorizing the condemnation of real property owned by Jian Tang Wu, Yuk Tong Ng, Yu Xin Wu and Yu Xian Wu for the 1300 East Corridor Improvement Project.  
Second: Stephen Smith  
Vote: McCandless-Yes, Smith- Yes, Anderson- Yes, Tenney- Yes, Saville- Yes, Fairbanks- Yes, Cowdell-Yes.  
Motion Approved: All members voted yes.

21. Land Condemnation  
Resolution #08-76C – a resolution authorizing the condemnation of real property owned by Amber Wanlass for the 1300 East Corridor Improvement Project.

Motion: Steve Fairbanks made a motion to approve Resolution #08-76C authorizing the condemnation for real property owned by Amber Wanlass for the 1300 East Corridor Improvement Project.  
Second: Stephen Smith  
Vote: McCandless – Yes, Smith – Yes, Anderson – Yes, Tenney – Yes, Saville – Yes, Fairbanks – Yes, Cowdell – Yes.  
Motion Approved: All members voted yes.

22. Land Condemnation  
Resolution #08-80C – a resolution authorizing the condemnation of real property owned by White Investment Company for the 1300 East Corridor Improvement Project.

Motion: Chris McCandless made a motion to approve Resolution #08-80C authorizing the condemnation of real property owned by White Investment Company for the 1300 East Corridor Improvement Project.  
Second: Bryant Anderson



**Vote:** McCandless- Yes, Anderson- Yes, Smith- Yes, Tenney- Yes, Saville- Yes,  
Fairbanks- Yes, Cowdell-Yes.

**Motion Approved:** All members voted yes.

**23. Snow College Contribution (\$5,000 Top of the Mountain Bowl)  
Resolution #08-68C – increasing Total Appropriations within the General Fund**

**Discussion:** [8:52:45 PM](#)

**Bryon Jorgenson** asked the Council to table this item until Administration receives more information.

**Motion:** Chris McCandless made a motion to table Resolution #08-68C Snow College Contribution for the Top of the Mountain Bowl for one week.

**Second:** Bryant Anderson

**Question on the Motion:**

**Steve Fairbanks** asked if the motion could be amended to table until Administration has further information. Mr. McCandless accepted the amendment to the motion.

**Vote:** McCandless – Yes, Smith – Yes, Anderson – Yes, Tenney – Yes, Saville – Yes,  
Fairbanks – Yes, Cowdell – Yes

**Motion Approved:** All members voted yes.

**24. Police Department Staffing Plan [8:53:35 PM](#)  
Resolution#08-67C – amending the Police Department Staffing Plan for Fiscal Year 2008-2009**

**Discussion:**

**Brian Kelley** reported that the approved budget limits the amount of staffing that departments can hire. Police Administration is requesting that the Police Staffing plan be increased by 3 full time employees. This is because of a two year grant they have received from the Justice Department for the CARI Program (Children at Risk Intervention). With the funds the Police Department would like to hire a case manager, a domestic violence therapist, and a coordinator.

**Motion:** Steve Fairbanks made a motion to approve Resolution #08-67C amending the Police Department Staffing Plan for Fiscal Year 2008-2009.

**Second:** Linda Martinez Saville

**Vote:** Fairbanks- Yes, McCandless-Yes, Smith- Yes, Anderson- Yes, Tenney- Yes,  
Saville- Yes, Cowdell-Yes.

**25. TRAX Station Safety [8:55:27 PM](#)**

**Discussion:**

**Chief Chapman** made a presentation regarding TRAX Stations Safety. He reported that he had a conversation with Russ Larsen, Chief of the UTA Police Department, about cameras in the TRAX parking lots to keep track of crimes. He will be having a meeting with the UTA Police Department about the meshnode system that the City Police Department has been using. He is hoping that UTA will be able to budget those cameras in the parking lots. He reported that the recordings of the system are kept for 60 days. He reported that there has been an increase in transient crime. These are individuals that are homeless or those coming into the city on the

TRAX system. He reported that in 2006 the biggest problem was vehicle burglaries. The numbers dropped in 2007 and 2008.

**Linda Martinez Saville** asked that as the TRAX station continues south will the crime follow. [9:04:39 PM](#)

**Chief Chapman** said that they are finding that many perpetrators in property crimes come from other areas. He would imagine that they would commit crimes here and in Draper.

**Chris McCandless** asked if the 2008 statistics is a projected number. [9:08:56 PM](#)

**Chief Chapman** answered that it is not projected, and that the statistics talked about are from January to August 2008.

**Scott Cowdell** said that with the TRAX stations being a conditional use, the new stations should be subject to upgrading the other two stations. [9:12:06 PM](#)

- 26. **MAYOR'S REPORT**
  - a. Held in Planning Meeting
- 27. **CAO'S REPORT**
  - a. Held in Planning Meeting
- 28. **COUNCIL OFFICE DIRECTOR'S REPORT**
  - a. Held in Planning Meeting

At approximately 9:15 p.m., Stephen Smith made a motion to adjourn Council Meeting, motion seconded by Dennis Tenney.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

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**Scott Cowdell**  
Council Chairman

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**Wendy Densley**  
Council Executive Secretary

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